



KERALA GAZETTE

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PART III

Judicial Department

THE HIGH COURT OF KERALA

NOTIFICATION

No. DI(A)-51093/2005/Filing. 24th April 2007.

In exercise of the powers conferred by Articles 225 of the Constitution of India, Section 122 of the Code of Civil Procedure 1908 (Central Act V of 1908) and of all other provisions enabling it in this behalf the High Court of Kerala hereby published for general information the draft amendment to the Rules of the High Court of Kerala 1971 published in Kerala Gazette No. 21 dated 18th June, 1971.

Notice is hereby given that the said draft amendment will be taken up for consideration after 30 days from the date of publication of this notification in the Gazette. Any objections or suggestions received from any person with regard to the draft amendment will be considered by the High Court.

Objections or suggestions, if any shall be addressed to the Registrar (Subordinate Judiciary), High Court of Kerala, Kochi-31.

DRAFT AMENDMENT

In the Rules of the High Court of Kerala 1971

- I. In Rule 83 the word 'opposite side' shall be substituted as "other parties".

- II. In Rule 84 the word 'opposite parties' shall be substituted as "remaining parties".

- III. Sub Rule (4) of Rule 153 shall be substituted by the following:

"153 (4): Three authenticated copies of the objection and the annexures thereto for the use of the court and as many additional copies for the use of the petitioner and other respondents shall be produced along with the objection".

- IV. After Rule 153 the following shall be added as a new rule 153A:

"153A: Exchange of copies of pleadings etc:

Copies of pleadings, petitions, applications and affidavits, counter affidavits, reply affidavits and rejoinders shall be served on all the parties appearing in the case, through counsel or otherwise except when the court, by order, exempts from doing so".

Kochi.

A. V. RAMAKRISHNA PILLAI,
Registrar (Subordinate Judiciary).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

It is noticed that in matters where there are more respondents than one, the copies of counter affidavits filed by the separate respondents are not served on co-respondents. This results in the lack of mutual notice of pleadings and in certain cases lead to apparent contradictions in submissions before the court. The High Court after considering the matter in all its details decided to make necessary amendments in the Rules of the High Court of Kerala.

This notification is intended to achieve the above object.